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# Quid Novi

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McGILL UNIVERSITY FACULTY OF LAW  
UNIVERSITE MCGILL FACULTE DE DROIT

March 29, 1993  
le 29 mars, 1993

## ALL ABOUT BRIAN

### An interview by Jennifer Griffith; LLB III

Brian Fell (does anybody know?) has recently been making journalistic inroads at the faculty with groundbreaking interviews of key faculty members (rumour has it he's been contributing to the QUID since his first day of law school). Who is Brian Fell really? What do members of the faculty know about and how do they feel about the long-haired brewmeister who recently returned to Montreal from Australia, catching a thermal bubble across the Pacific? I took it upon myself to interview members of the faculty about Brian Fell. Here is what was said:

Q: I'm doing an interview on Brian Fell...  
"Brian Fell, King-of-legal-research-

Brian-Fell? He's also hang-gliding database king,... the subject of a multi-volume opus." (Alexandra Leblanc)

Asked to describe Brian Fell in three words, a student identified only as PAL offered:

"Hairy, loveable, and grounded."

Q: Is there anything you would like to say about Brian Fell?:

"I suspect that he washes his hair in the sinks at school, because he keeps coming out of the bathroom with we hair." (Danièle MacKinnon).

"Oh yeah, I want to be in the interview... Everyone who says Brian Fell is a laid back kind of guy has him wrong, because what makes Brian so wonderful and so special is his inner strength, which is very intense." (anonymous).

"Have motor-bike, will litigate!" (Christopher Richter).

"What can I say about Brian?... He softens the edges of what can sometimes be a fairly hard-bitten body of law students... hmmm... warmth and humour. He's a very nice influence in the classroom from my perspective." (Prof. Alison Harvison Young).

"Brian's a unique individual, we like him a lot, he's always coming up with a new wrinkle on an old question." (Christine at SAO).

"Brian's quite a bit older, so he has different priorities than other people in law school, most of whom live for the future. Brian lives for now. For example, his roommate came in at about 2am a couple

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## A YEAR IN THE LIFE OF NATHALIE GOLDIN PRESIDENT OF THE LSA

When I became President of the LSA, I inevitably was no longer VP Civil, and consequently all of those articles entitled "a year in the life of Nathalie Goldin - VP Civil" were no longer being written. Over the 1992-1993 academic year, many have commenced as to the void and, the lack of purpose which they regularly felt, as a result of no longer having the opportunity to read those articles. It is, to fill the void, to maintain this tradition, and to pay tribute to all those who participate in student life, that I write this

article.

What is a year in the life of Nathalie Goldin - President of the LSA? It is a year filled with tremendous student involvement and achievement. Our clubs and associations organized conferences on a variety of significant issues, such as: environmental law issues, issues affecting aboriginal peoples of Canada, and a variety of human rights concerns. The student-run conferences continue to sensitize us to these fundamental issues, and

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## ANNOUNCEMENTS

**LSA MEETING** - on Wednesday, March 31 at 12:40 pm; there will be a joint meeting: elected members of LSA for 1193-1994 and current members of 1992-1993 should attend.

**RECEPTION** - members of LSA committees, members of all clubs and associations, LSA members & members of the Law Journal are cordially invited to a reception in the Common Room on Friday, April 30, 1993 at 6 pm. The reception, hosted by Dean Morissette, is in recognition of student participation at the Faculty.

**FROM THE NEW LSA - EXEC** - elections

are over, and the new LSA exec would like to thank all of the students who turned out to vote. We expect things to get off a quick start, and welcome any student input on issues that concern you. Remember, we're your representatives! If you need to speak to someone, don't hesitate to approach Josh, Tania, Tara, Marian, Mario, Rolland or Allyson.

**LEGAL CLINIC COURSE** - the Legal Clinic Course permits you to acquire valuable experience by working in a Community organization. If you are interested in participating in this course next year, it is strongly recommended that you attend the upcoming

information session. It will be held on Monday, April 5th 1993 at 1:30 pm in room 202, and will introduce the changes that have been made concerning the administration of the Course.

**ADVANCED MOOTING PROGRAM** - I would be interested to hear your comments on, or suggestions for the improvement of the Faculty's Advanced Mooting program - the role of coaches, the budget guidelines, access to the library, etc. If any of you have anything in particular to say, please let me know. Professor Stevens - Associate Dean (academic).

## GENERAL ELECTIONS 1993 RÉSULTAT DES SCRUTINS

### PRESIDENT OF THE LSA/ PRÉSIDENT(E) DE L'AÉD

\* Josh Fireman - 205  
Nick Katerinakis - 77  
Sinjay Gandhi - 64

### VP ADMINISTRATION

\* Allyson Whyte - 160  
Isabelle Daoust - 140

### VP EXTERNAL AFFAIRS/ AFFAIRES EXTERNES

\* Marian Tremblay - 158  
Gavin Naimer - 146

### VP FINANCE/ FINANCES

\* Mario Choueiri - 131  
Nicolas Beugnot - 95  
Angela Civitella - 85

### VP CIVIL/ DROIT CIVIL

\* Tania Chugani - 122  
Benoit Morel - 108

### VP COMMON LAW

\* Tara Mani - 64  
Derek Chiasson - 55

### CLASS PRESIDENTS/PRÉSIDENT(E)S DE CLASS

#### BCL II

\* Sandy Chalkoun  
Rhonda Rudick  
Vincent de Grandpré  
Jody Berkes

#### LLB II

\* Kim Schenck - 27  
Hessam Kalantar - 22

#### BCL III

\* Ann Francis - 30  
Caroline Champagne - 26  
Marianna Tawa - 19

#### LLB III

\* Melanie Parsons - 27  
Jane Caskey - 18

#### NATIONAL IV

\* Stacey Silverberg - 43  
Ron Levi - 38

### SOCIAL COORDINATOR/COORDI- NATEUR DES ACTIVITÉS

\* Roland Legault - 163  
Sophie Barabé - 86  
Tony Fratianni - 75

### ATHLETIC COORDINATOR/COORDI- NATRICE DES ACTIVITÉS

\* Corina Stonebanks - 180  
Alwynn Gillett - 138

### FACULTY COUNCIL/CONSEIL DE FACULTÉ

\* Léna Taylor - 203  
\* François Duquette - 192  
\* Randy Manis - 187  
\* Heidi Kessner - 181  
Harry Dikranian - 153

### LAW SENATOR/SÉNATEUR DE LA FACULTÉ DE DROIT

\* George Sopel - 107  
Susan Wells - 99  
Ari Finkelstein - 88

### REFERENDUM/RÉFÉRENDUM (18-03- 93)

\* Yes/oui - 278  
No/non - 78

We thank you for your participation/ merci pour votre participation.

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## MESSAGE FROM A RENAISSANCE WOMAN

By Janet Oh; BCL I

The talk of the faculty these days, it seems, is the awe-inspiring, grandiose, eloquent article written by Angelo Noce in the March 15th edition of the Quid. This is probably one of the many rebuttals that will appear in this week's Quid. Of course, this is by no means a direct personal attack on Mr. Noce. He is, after all, the one who is marking all my papers this year, being my tutorial leader. And of course, to even attempt to put down or insult one's tutorial leader is a big NO-NO in this faculty. Who are we, lowly first year students to question the integrity and intelligence of the almighty upper year students.

And oh, how right he is that I strive to become like Lord Denning, to attain that aura of arrogance and narrow-mindedness. Mr. Noce couldn't have chosen a more fitting idol for all of us to aim to resemble. And let's talk about this "respected profession". Let's talk about these uptight, anal folks who can shoot their mouths off about law this and law that, who like to hear themselves speak

and who believe that name-dropping is an art style.

Mr. Noce is adamant in stating that the possibility of being a "Renaissance MAN" is forever over. Since, after all, he failed to make mention of the other 50% or so of the faculty, perhaps then, it is an admission that this will be the era of the "Renaissance WOMAN"?!

Even if Mr. Noce wrote his article half in jest, I found the commentaries made by others quite interesting. Some of course, demanded to know who this Noce guy thought he was. Others, however, made statements like "Gee, I was sure surprised to see Angelo write that article, but you know, I agree with him." Nothing in this faculty surprises me anymore, especially statements like the latter. It is quite reflective of the real misconception of education that students have. The definition of education by most in this faculty, it seems, is "memorization of the text book, doctrine and civil code" (if you're in civil law) and "memorization of the text book and caselaw" (if you're in common law).

Just how competitive will we be by remaining ignorant of the other events that occur in society? What advantage do we gain by not understanding or keeping up with the changes that are taking place all around us? If we were to one day defend an accused criminal (assuming of course that we were to graduate from here) would it not be to our advantage to know something about sociology, or criminology? If we were to become responsible for a corporate file, does it not make sense that we understand something about how business works?

McGill prides itself in the fact that many diverse criteria is taken into consideration when accepting applicants into the faculty - people from all different backgrounds are encouraged to apply; people with "worldly" experiences are said to be our classmates. Funny, isn't it, how as soon as the application process is over, people shun that kind of diversity. Mr. Noce wrote, "Four years later, I have come to the point where most of what I know is law." Boy, what an interesting dinner date you would be.

## REQUIEM FOR THE RENAISSANCE

By Angelo Noce, BCL IV

I am not thrilled about subtracting time from my legal studies to write for a school paper, but I am left with no choice. I never believed that I could be so disappointed in my fellow students. Instead of receiving their praise for the courageous stand which I took against Steven Lloyd and his Renaissance dilettantes in the March *Quid*, I have met with only scorn and vitriol. It is clear to me now that Da Vinci aspirants are not just mislead fringe element at the Faculty, but are rather in a majority.

So be it. I will gladly swim against the tide in the interest of my beloved profes-

sion. And I will gladly repeat my radical credo: law students should study law. Lloyd and the others must learn that law has nothing to do with society. Nor is law in any way related to Politics, History, Economics or any other discipline taught at the Royal Institute for the Advancement of Learning. A good lawyer is someone whose knowledge of statutory provisions is uncontaminated by such foreign and eclectic trivia. Above all else, one must strive to keep one's precious legal fluids uncontaminated. I know this. Dean Stevens knows this. But the would-be art historians, marketing analysts and political philosophers who masquerade around Chancellor Day as law students are blind to this basic reality.

Before Lloyd and his cronies attempt to brand me a hypocrite, I may as well come clean and admit that I did take 6 non-law credits during my stay at the Faculty. I'm not proud of what I did. A day does not go by when I do not suffer pangs of regret for this betrayal of the law. Fortunately, the Faculty rule book was there to limit the damage by requiring that the Management and the French course I took be "law-related". Still, I can only pick up the fragments of my legal career and think of what might have been had I taken the full 125 instead of only 119 credits at the Faculty. I will take this mistake to my grave.

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**Cont'd from p. 1**

of weeks ago and was in a very talkative mood (it was her birthday). Even though Brian had 2 papers due the next day, he took the time to hang out and talk with his roommate. He feels that people and relationships are more important than material goods. Of course, because he's so old, he needs less sleep than other people. Sometimes he does useless things with the time he saves by not sleeping. A couple of weeks ago a Supreme Court judge came to the faculty to speak. Brian spent about 4 hours finding out about all the judgments the judge had made before being appointed to the Supreme Court, so he could question him on them. He's pretty crazy by our standards, but he's less crazy than he looks." (Lucie Poirier)

Intrigued by this initial insight, I turned to the well-spring of Brian Fell knowledge, his roommates, past and present:

Q: What can you tell me about Brian Fell?

"Brian arrived back from South America and didn't have anywhere to live. My roommate was out of town for a few months, so I told Brian that if he was in a bind, I supposed he could sublet my roommate's room. I couldn't believe it, he called my bluff! He moved in, leather pants, beer-making equipment, and all. He took over my kitchen and made very smelly stews; he also took over my fruit-bowl. People might not expect this of him, but Brian takes pride in his fruit arrangements. He separates bananas and has them hang out of the bowl ever so carefully. If there are 6 bananas, they're each 60 degrees apart. I never saw it, but I'm pretty sure he has a protractor some-

where. He is also careful to buy fruits of many colours. Like I said he takes his fruit-bowls very seriously." (Eric Rosen)

"He lived with me for 2 1/2 months, and when he started, he put up a hammock in his room, part of his South American collection. He used it both as a hammock and as a clothesline. He brewed beer in the apartment. During preparation for Christmas exams one of our theme songs was "Good Vibration" by Marky Mark & the Funky Bunch (we had Music Plus then). One particular line became a rallying cry for both of us: "Do you feel it baby?!" On a more serious note, Brian spent Christmas '91 with my family and it was lovely to have him. My mother gave him a lobster earring which he wears on special occasions; he recently wore it at skitnite. Look for it the next time he dresses up! Here's something most people don't know about Brian: he's a shinnie hockey champ who goes by the name of "Felinsky" and is probably the only one to still play with all-steel blades. Also, he's an expert fruit-bowl arranger, with a particular panache for bananas, using them to create a petal-like impression, apparently something he picked up in South America... and he's quite a baker, he loves to bake, particularly anything with lots of nuts, coconut or bran. He makes good nanaimo bars and he's a big weekend brunch pancake man, makes his batter from scratch. I would describe Brian as an optimistic risk-taker. He shipped his motorcycle from South America to Australia before he was sure he was going to be accepted as an exchange student. He also took up hangliding while in Australia. Finally, I just want to say that Brian Fell is a person from whom you will never hear the

phrase: "J'suis pas capable". (Warren Cooney)

Q: What is it like living with Brian Fell?  
"He's a great roommate."

Q: What makes him a great roommate?  
"These are dumb questions, and don't type that in..."

Q: What is his favourite food?

"I don't think I know what his favourite food is, but I do know what he likes to make, and actually they're both kind of life-sustaining: beer and bread"

Q: Tell us something interesting about Brian:

"Brian's a bit of a trailblazer. Every day, we walk across the reservoir to school. Brian has decided that rather than the conventional path everyone follows, he'd build his own "highway". It would actually be a shortcut, if he didn't have to cut a new trail every time, through 1 to 2 feet of snow. He's bucking the traditional path. He'll be really glad to have people read that, because he's sure people are wondering **who** has created all those new paths."

Q: Does the word "fruit-bowl" mean anything to you? (Interviewer wondering whether the fruit-bowl arranging was just a stage or something more permanent in Brian's life).

"In our apartment, fruit-bowl arranging is really Brian's domain. We usually have two bowls full of fruit, painstakingly organized with colour appropriately intermixed. Bananas, as any of our guest will attest, play a particularly significant role..." (Jennifer Woollcombe).

Interviewer: There it is, a snapshot of Brian Fell. How does it compare to Brian's interview of himself?

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My only wish is that lower-year students at the Faculty should benefit from my mistake. It is possible to shield these impressionable youths from the claws of Lloyd and the other Renaissance vultures by eliminating the 6 outside credit option altogether. These leaders of tomorrow will surely be better for having taken

Special Contracts III or Intra-Continental Carriage of Goods by Sea instead of wasting their time in a Charles Taylor course of Greek Philosophy. A petition to reduce the present ridiculously high possibility of 6 non-law credits in 4 years will be circulated this week by myself and by perpetual VP - Social candidate Paul Somma. Everyone who cares about

the purity of our noble profession should sign. The rest of you can keep painting frescos.

P.S.: Sort of cool that a single sardonic article can prompt a greater reaction than a whole year's worth of Josh Fireman's musings.

## Cont'd from p.1

to thereby broaden our legal education.

A record amount of McGill law students participated in the Canada Law Games this year winning us a Participation Award. The many sports awards that we also won demonstrates how many of us did do a lot more than dance until 3 am, and lose our voices whilst cheering on our athletes!

McGill law students are not only incredible athletes and dancers, but as reflected by all the Mooting Awards McGill Law students won this year, McGill Law students are some of the best factum-writers and pleaders in the country (not to mention their outstanding ability to spend endless hours in the library!).

Skit Nite 1993 was also a remarkable success. Despite the difficult economic circumstances, the fund-raising committee diligently raised \$12,000 which is donated to three local charities. Also,

more students from all the years participated in Skit Nite than ever before. They all worked together for weeks to present what was one of the funniest, the most professional Skit Nite shows ever.

The 1992 -1993 was also a year of change. The LSA has officially become a company; the implementation of a part-time law program has been approved by Faculty Council; the LSA Teaching Excellence Award shall be awarded for the first time; the elevator was fixed; the cafeteria was remodelled.

As President of the LSA, I truly enjoyed working with so many different people. I am also thankful to so many for having worked so hard, and making 1992-1993 a memorable year for us all, and making my job as President a pleasure.

I should like to thank the LSA legislative council for ensuring that different student concerns were represented, and that

student life was as cohesive and enjoyable as possible. To everyone in the Dean's Office, and at SAO, thank you for facilitating the organization of so many student activities, ensuring that everything that had to be done was done, and for doing it with a smile. The Executive of the LSA deserves many thanks too. They accomplished a lot, some of which involved what seemed like forever. Nevertheless, they ensured that at all times we were enjoying being together and having fun.

Finally, I thank everyone who participated in student life at the Faculty. Active involvement in extra-curricular activities is a tradition here at OCDH of which we can all be very proud. This year, you all strengthened the tradition, making 1992-1993 a truly incredible year, and making OCDH the best place to study law!

Good luck to everyone!!!

## Forward

You gotta be careful about what you say about other professions these days, especially when you're a lawyer!

If I say that journalists are a bunch of cynics, I am said to be against the freedom of the press;

If I say doctors are quacks, I am said to be unprofessional;

If I say that tele-evangelists are charlatans, I am said to be blasphemous;

If I say that bankers are greedy, I am said to be against the status quo;

If I say that the military are war-mongers, I am said to be unpatriotic;

If I say that industry pollutes, I am said to be against free enterprise;

If I say that insurance salesman are swindlers, I am said to be unbusinesslike;

If I say that politicians are

crooks, I am said to be simplistic;

but I noticed that none objected when Lawyers were called money-hungry sleazoids. On the contrary, ...., everyone agreed and they all started to tell lawyer jokes!, and the worst part is...

## I can't even sue the bastards!

Taken from: Legal Eagle Review, P.O. Box 401, Kingston, Ontario, K7L 4W2



*I pondered a long time who would be an appropriate subject for this, the last interview in this series, and my last journalistic endeavour for the Quid. It came to me in a dream. Of course! Like many great revelations, it seemed so obvious in retrospect. Who else? The one, single person who's had the greatest impact on the faculty since it's existed... me.*

*Well Brian, it's pretty pretentious and self-inflating to interview yourself isn't it?*

Well, no-one else appreciates my flawless personality. I'm the only person I know who has to supply beer to get people to come to his parties.

*Oh, there's another party coming up, isn't there?*

Yup, after classes, B4 exams. Friday, April 9. Wooleyhead Q.C. and I are supplying homebrew. It's B.Y.O.Glass & B.Y.O.Pitcher.

*Who's invited?*

Everybody, even you, er... I mean me... uh, this interview concept confuses me-you... uh... oh, forget it. Oh yeah, the party. I was going to invite only close friends, passing acquaintances and anyone who had vaguely heard of me. The only person matching that description had prior engagements, or so he said.

*So, tell us, how was Australia?*

I hate that question. Could you be more specific?

*It must have been such a great trip.*

Oh sure, the image is that I was just hangin' out, having a hoot. The reality is that I was studying law 9 of the 11 months I was away. And what's more, to honour my visit, they had the worst winter on record.

I toured on my motorbike during the month before classes started, but I ran outta cash after final exams. So in the last month, I travelled cross-country on a 22-wheel truck, haulin' carpet. My greatest adventure was hang gliding, but that's another story.

*What about law studies, did you do any?*

Ha, ha. You know I was always a keener.

I was surprised at how 2 nations with such similar histories could be so different. Their concept of the common law is much more rigid than ours. Here, we talk about the common law influence on the civil law, but we neglect that there's been quite an influence the other way, too. Student-teacher relations are much more human. Everybody's on a first-name basis.

Their system also encourages research. Here, we're discouraged, nay, penalised by the ridiculous convention of 60-pages. There, lots of courses have optional 100% essays of 5 kilowords. That's about 25 pages, so it's actually possible to do a few without being buried. Also, limits based on words, not pages, make more sense in an age of laser printers and wide font selection.

*Gee Brian, you're not using this interview to rant and rave about some of your pet peeves are you?*

Don't be silly.

*OK. Well, during your 4 years here, you've managed to squeeze in trips across the 2 Americas as well as Australia, all without prolonging your degree.*

It ain't all been gravy. For all the bureaucracy I dealt with, I should have got automatic credit for Admin Pro.

*Quite. What have you learned from your travels?*

That travelling in exotic places doesn't mean you're adventurous. The most challenging journeys are within. But you can only go there if you've got the guts to face your inner demons and your soul in all its naked ugliness.

*Wow, that's deep. Where'd that come from?*

From within. Or maybe from the Journal de Montréal sports section. I forget which.

*So you're back home at McGill, with grad closing fast. Upon reflection, describe the law school experience?*

Could you be more specific, please?

*What's your legacy? How will you be remembered?*

I'd like to be remembered for having spent max \$50 on books during 4 years and for *not* leaving my photo on the wall, but I'll probably be remembered for something that either didn't happen or that I forget.

*What are your comments on the teaching staff?*

It's weird how they've twisted us. I think that in first year, we found their pedagogical methods to be... not. I mean if I saw anything other than a couple of arrows and the letters A,B,C or X,Y,Z on the chalkboard, I would have popped the champagne. The word "dynamic" on course evaluation forms makes me laugh. But then the weirdness starts. We get used to, then prefer, nay, *demand* that teaching style. Don't believe me? Watch class reaction when we get a prof who's excited about the material. Eyes roll.

eyebrows raise. We also sneer at students who get involved in the material. It's not Kool 2B Keen. It is Kool to bitch about the work and deride the profession. If it's so bad, why do we stay? No guts to leave, I guess. It's easiest to follow the well-beaten path. We've conformed well.

*Whoooooee! You're pretty tough on paper, hiding behind journalistic license.*

No, you keep forgetting. You're the journalist.

*Oops, this interview concept really is confusing. So your views on the students, need I ask?*

Well, I give credit where due. McGill's admission policy accepts people from widely varying backgrounds. There's little mediocrity. But weirdness strikes again. By the end, we're all pretty much the same. Most everybody jumps through the hoops as required: CV's, matching program, suits, interviews etc, all saying "Can I suck a little harder, please?" The most sickening is to see ex-classmates representing "their" firms at careers day. Their demeanour is, well.. I come away sad, angry, and feeling betrayed. Anyway, it's amazing what changes can take place in a very few years. I think McGill gets some kind of perverse kick out of admitting the most outrageous people and turning them into much of a muchness. Maybe it's a kinda challenge for them.

*Did you yourself change from radical to run-of-the-mill?*

No, I was always this boring.

*That's interesting. You seem to have somewhat of a reputation here. Just a few of the (printable) words I've heard to describe you include: arrogant, shamanistic, pompous, chunky, visionary, and Michel. Which are true?*

No matter what I think I am, others' perceptions construct the "objective" me.

*Whoa, too deep! Where's that from?*

The new cigarette package warnings!

*But serious, you are seen as a bit, hmm, different n'est-ce pas?*

For me to be considered radical shows how hopelessly dull this place is. As far as my image, I think it all happened while I was down under. Somebody, probably me, started a rumour that I was less-than-boring. Since I wasn't here to for everyone to see how eminently average I am, it snow-balled. Soon, even people I knew remembered me differently. Those who didn't know me came back

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and reality crashed in. I heard comments like "I thought he was taller" and "I thought he was..." oh, never mind that one. I disappointed many people. Maybe I shouldn't have come back. I would have just got better. I might have been knighted, or sanctified, or maybe even appointed to the Facilities Committee.

*Your, or my if you please, recent interviews with important figures in the faculty have drawn mixed reactions. They've been labelled insightful, condescending, and fictionalised, to name but a few. How do you plead?*

I don't know what those words mean, so my interviews can't be any of them.

*You really think you're witty, don't you?*

OK, I'll use a BIG word. I was tired of the way we COMPARTMENTALISE life. Y'know, everything in its place. We're law students, they're workers, and never the brains shall meet. Pretty elitist, if you ask me. Some of the most insightful people I've met worked average kind of jobs. Some of the happiest people are there, too. So I wanted to recognise the people who really keep this place running, long before and after our brief stint here.

*Well, we're nearing the end of this interview. Anything else you wanna spout off about?*

As usual, this year's LSA elections were a were an affront to democracy. I was CRO a couple years ago and, along with the candidates, tried to reform the process. We tried some things and I suggested others for future elections.

Examples were: candidates' platforms published in the Quid, private polling booths, preferential ballots, the choice "Reopen Nominations" on ballots, and prohibiting handbills. Candidates were allowed ¼ page each to express themselves. This information was photocopied (at LSA expense), distributed during the campaign, and available for reference at the polling station. This year, paper was scattered everywhere and photos were pasted up but there was no real info on issues, candidates and their positions. So we ended up with another round of LSA musical chairs with winners based on exposure. High profile = victory. There's no such thing as bad publicity. There's just publicity. Ask Josh Fireman. Unfortunately, this system closely mimics Canadian politics in general. Ignore issues, concentrate on image. Even my suggestion to this year's CRO of ballot counting by machine was apparently refused by the Exec. Of course. Why would the incumbents tamper with a

system so favourable to them? On polling day, a friend approached me for help because she knew nothing of the candidates. I told her I voted only on the referendum because that was the only issue on which I could make an informed choice. I hope anyone with an interest in true democracy goes for CRO and pushes some reforms during next year. My old report is available for anybody interested.

*Bri, you're bitter!*

Well, I take democracy seriously. You don't have to look far to see that ours is one of the least developed models of it.

*Let's lighten up a bit. Because of your diverse background: logger, miner, mechanic, photographer, ambulancier, brewer, baker, candlestick-maker, you've been touted as a "renaissance man for our time" haven't you?*

No, that's just a cheap way to manipulated this interview so I can take a shot at Noce's article a couple weeks ago.

*Well, you've got the ball, now run with it.*

Look, the only danger is if someone actually takes that argument seriously. Anyone with a true appreciation for technological advancement recognised a long time ago that specialisation in *theoretical* studies is a dead-end. Things change too fast. Anyone with any knowledge realises that the purpose of theory-based education is to *learn* how to *learn*. So, learn the general principles of a discipline, then get out. Once you're *practising*, you can in specialise. If your area becomes obsolete, *you* don't become obsolete with it. You just learn a new area.

*So, you're off to Vancouver after grad?*

No, no, no. I say "B.C." and everyone automatically thinks "Vancouver". There's a world outside major cities y'know. I'll be up in the mountains, doin' a bit of law, some farmin', fishin', horse riding and a lot of hang gliding. Come up and I'll take you up tandem. Imagine climbing to 10,000 ft, staying up for hours (no, not that way), and covering hundreds of Km, all without a motor.

*No thanks. I'm scared of height and I get airsick.*

How do you know if you've never tried?

*I did. I'm one of the lucky few who know what it's like to soar like an eagle, circle with hawks, then spew at 4,000 ft. So, sum it all up for us, Brian. What's it all about?*

What's *what* all about?

Life.

Well, if you read *Even Cowgirls get the Blues* and *The Tao of Pooh*, they say...

*Je ne rêve que de m'instruire*

*Boire, manger, dormir*

*Écouter la mélodie des Troubadours*

*Et faire tranquillement l'Amour...*

Comme les examens approchent à une allure affolante et que certains sinon plusieurs étudiants sentent soudainement l'anxiété les envahir, j'ai cru bon vous entretenir pendant quelques lignes d'un sujet apaisant et qui me tient à coeur.

Il y a quelques semaines, j'ai assisté à une conférence donnée par le Professeur Albert Jacquard invité par la Faculté des Sciences de l'Université de Sherbrooke... (Of course you remember where Sherbrooke is, it's where the LAW GAMES were held! Why isn't it that time of year again?) Le Professeur Jacquard est un homme de sciences qui s'intéresse à des questions complexes et controversées telles la théorie de la relativité, les manipulations génétiques... et la nature humaine en relation avec science.

Pendant ;ous d'une heure, il nous entre-tenu sur de nombreux sujets dont un m'a particulièrement touché. A la toute fin de la période de questions, quelqu'un lui a demandé:

"M. Jacquard, y a-t-il une justification scientifique au respect de l'homme?"

Après quelques instants, non de réflexion mais bien de traduction car, M. Jacquard étant belge, il a semblé avoir quelques difficultés à saisir l'accent "québécois", il a finalement répondu en parlant d'un concept étrange, la société de compétition, qui selon lui, mène à la folie de la domination, et de son alternative, la société de coopération. D'après lui, l'évolution de cette dernière se fait grâce à d'autre moteurs. tels le respect et l'effort sur soi-même. Son message était très beau et sincère et, curieusement il m'a semblé tout à fait réalisable. Il faut dire

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## TWO DEATHS, ONE MESSAGE

By Jay Sinha; LLB II

In the last few weeks I have learned about two polar deaths, each of which has triggered parallel thoughts in my mind. Were I to write a eulogy for each of these deaths I would use substantive different words in each case. Were I to derive a message from each of these deaths, the words would be the same.

Petra Kelly was found murdered in her home in Bonn, Germany, last October. I first learned of their death last week as I sat in my kitchen reading "Brick: A Literary Journal" (issue 45, Winter 1993, edited by Linda Scolding, Michael Ondaatje, and Lorraine Anthony), which included a tribute to her, entitled "The Impossible & the Unthinkable".

The death of an era of Mulroney politics was sounded in late February when Prime Minister Brian Mulroney announced that he would not run in the next federal election. I recently became fully aware of the destruction wrought (and continuing as I write) during this era as I read the controversial (and fact based) bestseller by investigative journalist Linda McQuaig, entitled "The Quick and the Dead: Brian Mulroney, Big Business, and the Seduction of Canada" (1992, published by Penguin Books.)

Most Canadian have never heard of Petra Kelly. One might have described her as an ecological politician. She herself might have changed the description to "ecological non-politician". Born in Germany in 1947, most of her student life was

spent in the United States where she was active in anti-war, civil rights, anti-nuclear, and feminist activities. She worked for Robert Kennedy on his 1968 presidential campaign and later for Hubert Humphrey. In 1979, as co-founder, chairperson and speaker of the Green Party she became the first German female leader of a political party. She and twenty-six other Green Party members were elected to the national Bundestag (German federal parliament) in 1983. Two of her many organizational feats included the Nuremberg anti-nuclear "war crimes tribunal" to indict five countries possessing nuclear weapons and the first international hearing on Tibet and human rights.

If one wishes to know more about Petra Kelly and her philosophy, I suggest reading the "Brick" tribute which contains a speech she gave to a conference of environmentalists and writers in Morelia, Mexico a year before her death. In her own words: "I believe that if we want to transform society in an ecological way, we must transform ourselves profoundly first". Such a transformation is a political act that requires humility. Such humility can be found in a recognition of "the interconnectedness of everything in Nature" and a comprehension "that humanness is a function of a wider system". In particular, modern day politics requires focus on "holism rather than separation and compartmentalism". Fundamental in this distinction and fundamental to the repair and prevention of ecological destruction (as well as to solving of most other social and political problems around the world)

is a decrease of the ever widening "global division between rich and poor". What is necessary is a recognition of, and a concern for, the effects of one's actions on one's community.

Most Canadians have heard of Brian Mulroney. However, most Canadians likely have no idea of the extent to which, or the manner in which, Mulroney politics have transformed Canada to the detriment of the Canadian public. I will mention just a few little tidbits to illustrate the philosophy behind Mulroney politics. For a full explanation and documented proof I would advise reading Linda McQuaig's book (make sure you do so sitting down).

The essence of Mulroney politics is constant deal making and power brokering for the immediate financial gain of a privileged few. Canada is not regarded as a sovereign nation with responsibilities towards the well being of its citizens but rather as a player in a game of international business. Canada's markets and resources are merely cards to be played. The Canadian public has no role in the game and any effect on it is of no consequence. In effect, politics and business interests are intertwined to such an extent that they are indistinguishable. The prime example is the Canada-U.S. Free Trade deal. The free trade idea that arose in Canada was very different from the free trade deal that was eventually signed by Canada and the U.S. Canada brought up the topic because of fears of being shut out of the U.S. market due to U.S. Congress protectionism. In 1983,

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a Canadian federal government trade paper called for sectoral trade agreements with the U.S. along the lines of the Canada-U.S. auto pact (which contained "performance requirements" such that a large amount of the production of cars sold in Canada had to take place in Canada). The U.S. made it clear that it was not interested in sectoral free trade which would include performance requirements. Instead, the U.S., largely through the influence of American Express (Amex) Chairman Jim Robinson, suggested and promoted a comprehensive free trade agreement which would give each country free access to the other's markets (including that of financial services, read Amex). The deal which was agreed to by the Mulroney government at the last minute left Canada subject to the full range of U.S. trade law; hardly guaranteed access. All the deal did include were provisions for dispute settlement to ensure the separate laws of Canada and the U.S. were applied correctly. Rather than accept defeat in negotiations and tell Canadians the truth, Mulroney accepted this secondary deal and then proceeded to publicize it back home as a stunning success; a deal necessary to keep Canada competitive in the international marketplace; a deal that globalization demanded.

Then there was the Goods and Services tax. Before the November 1988 election the Mulroney government explained they would be bringing in a new sales tax but it would merely replace an existing tax and would not raise any additional revenue. Only after being re-elected did they talk of the need for the "extra" revenues to

reduce the deficit. The effect of changing the Manufacturer's Sales Tax to the GST was to shift approximately \$4 billion of the tax burden from corporations to consumers. Furthermore, the Mulroney government has justified cutting social spending (health care, education, social security) as being absolutely necessary to reduce the deficit and thus be more competitive in the international market. However, approximately \$8 billion worth of tax breaks for business and the rich are seemingly set in stone. Such breaks include deferrals for assets held in private trusts, breaks for real estate developers, for Canadian multinationals investing abroad and for those sopping up business meals and entertainment. This is the aim of Mulroney politics. IN the name of deficit reduction and globalization the rich get richer and the poor get poorer.

It may seem that Petra Kelly and the Mulroney era are both dead. IN fact, this is not so. The legacy of each will live on and affect many. One could say they were both seeking the same thing: change. The distinction is that they were operating at different levels of sensitivity. Petra Kelly had found compassion while the Mulroney era was stuck on greed. I think a good way to illustrate this is through a quote that Petra Kelly included in her speech:

To study the Way, is to study the self.  
To study the self, is to forget the self.  
To forget the self, is to be enlightened by all things.  
To be enlightened by all things, is to remove the barriers between one's self and others.

Petra Kelly was enlightened. The

Mulroney era had not forgotten itself. The message is simple: If you wish to be enlightened, work towards compassionate change.

P.S. A note on the alleged death of the Renaissance: Speak for yourself, Mr. Noce, for some the Renaissance has only just begun. If only you knew what you are missing. Catch me as I swoon.



## 10 Ways to fill an Empty Column

10. Use really **BIG FONT**.

9. Poll other people on how they would fill a column.

8. Poll other people on just about any topic.

7. Write a last minute, ad hoc article *unrelated to law*.

6. Spill Root Beer.

5. List Joshua's hair, er, campaign promises.

4. Draw a cartoon of Joshua Fireman (done).

3. A blank column never hurt anyone.

2. Interview Brian Fell (done, twice).

1. Think of creative ways to fill a column.

## ASK THE ANSWER MAN

**By Joshua Fireman; BCL III**

Q: Why does the OCDH from door close at six?

A: Dominic and Dominic like their privacy.

Q: Why is Sadies selling printing credits?

A: Dan and Drew are playing hard to get. Sorry, girls!

Q: What were all of those people doing in the library on Saturday night?

A: The same thing as you, Ron! They were there for Harold's monologue and weenie roast on the 6th floor.

Q: Why are teachers so afraid of computerized summaries?

A: Look, if your notes were burned to a crisp, you'd be afraid of your student knowing more than you too!

Q: Who are those people who always hang out in the LSA office?

A: Those are undercover agents waiting for the return of Rick Jones.

Q: Who was Rick Jones?

A: Right. I'll answer that one after you tell me who really killed Kennedy!

Q: What made physical plant finally re-wall the elevator?

A: The first asbestos poisoning suit scared the living daylights out of them.

Q: Why the worry with attracting vermin on the front lawn?

A: The administration thinks it has enough on its hands inside the faculty.

Q: How often does the *Quid* come out?

A: That depends on the phase of the moon, the state of the union and the zodiac sign that is ascendant at the particular moment. Maaike and the rest of them have nothing to do with it. Trust me. Really.

Q: Who the hell is Brian Fell?

A: Like I know. He showed up from Australia a couple of months ago, and now he thinks he's Josh Fireman!

## ANOTHER TOP TEN LIST

**By Joshua Fireman; BCL III**

I guess it must be springtime. After all, people are shedding layers of clothing, rivers of water are pouring down Peel, and the Expos are poised to make their first trip to the playoffs since I was twelve. This also is the time of year when students begin to look paler than the melting snow and as nervous as a mouse in a trap.

So, in order to help people through another exam period, here are the **TOP TEN REASONS TO LOVE SPRING EXAMS:**

10 - When else can you sit at home all day

and watch soaps?

9 - Unwrapped casebooks make good sun reflectors.

8 - You need your afternoons free; nights are for playoff hockey.

7 - Professor Healey's shorts.

6 - The return of the Chancellor Day Hall lawn vermin.

5 - This gives you a reason to stay awake in class.

4 - You gotta love the jokes those envigilators make.

3 - Laser printed summaries save jobs in B.C.

2 - Chance to see how many casebook pages you can read in an hour.

1 - It's not December.

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que le droit en général et les litiges qui forment le quotidien pour l'avancement de notre société. C'est ainsi que je refuse de voir dans cette Faculté ou ailleurs la possibilité qui'il y ait des "winners" et des "losers". En fait, si la société de coopération vous semble une idée utopique à grande échelle, il nous est peut-être possible de tenter l'expérience en modèle réduit dans cette Faculté. Il me semble donc que l'arrivée éminente des examens nous offre une occasion idéale pour réfléchir sur cette question et, qui sait, rendre cette idée abstraite dans le domaine du concret...

P.S. Vive la coopération! Does anyone have any extra summaries?!?!... help...

**Par Isabelle Daoust; BCL I**